

107TH CONGRESS  
1ST SESSION

# S. 856

To reauthorize the Small Business Technology Transfer Program, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

MAY 9, 2001

Mr. KERRY (for himself, Mr. BOND, Mr. CLELAND, Ms. LANDRIEU, Mr. BENNETT, Mr. LEVIN, Mr. LIEBERMAN, Mr. HARKIN, Mr. BINGAMAN, Mr. ENZI, and Ms. CANTWELL) introduced the following bill; which was read twice and referred to the Committee on Small Business

---

## A BILL

To reauthorize the Small Business Technology Transfer Program, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Small Business Tech-  
5       nology Transfer Program Reauthorization Act of 2001”.

1 **SEC. 2. EXTENSION OF PROGRAM AND EXPENDITURE**  
 2 **AMOUNTS.**

3 (a) IN GENERAL.—Section 9(n)(1) of the Small Busi-  
 4 ness Act (15 U.S.C. 638(n)(1)) is amended to read as fol-  
 5 lows:

6 “(1) REQUIRED EXPENDITURE AMOUNTS.—

7 “(A) IN GENERAL.—With respect to each  
 8 fiscal year through fiscal year 2010, each Fed-  
 9 eral agency that has an extramural budget for  
 10 research, or research and development, in ex-  
 11 cess of \$1,000,000,000 for that fiscal year,  
 12 shall expend with small business concerns not  
 13 less than the percentage of that extramural  
 14 budget specified in subparagraph (B), specifi-  
 15 cally in connection with STTR programs that  
 16 meet the requirements of this section and any  
 17 policy directives and regulations issued under  
 18 this section.

19 “(B) EXPENDITURE AMOUNTS.—The per-  
 20 centage of the extramural budget required to be  
 21 expended by an agency in accordance with sub-  
 22 paragraph (A) shall be—

23 “(i) 0.15 percent for each fiscal year  
 24 through fiscal year 2003;

25 “(ii) 0.3 percent for each of fiscal  
 26 years 2004 through 2006; and

1 “(iii) 0.5 percent for fiscal year 2007  
 2 and each fiscal year thereafter.

3 (b) CONFORMING AMENDMENT.—Section 9 of the  
 4 Small Business Act (15 U.S.C. 638) is amended in sub-  
 5 sections (b)(4) and (e)(6), by striking “pilot” each place  
 6 it appears.

7 **SEC. 3. INCREASE IN AUTHORIZED PHASE II AWARDS.**

8 (a) IN GENERAL.—Section 9(p)(2)(B)(ix) of the  
 9 Small Business Act (15 U.S.C. 638(p)(2)(B)(ix)) is  
 10 amended—

11 (1) by striking “\$500,000” and inserting  
 12 “\$750,000”; and

13 (2) by inserting before the semicolon at the end  
 14 the following: “, and shorter or longer periods of  
 15 time to be approved at the discretion of the award-  
 16 ing agency where appropriate for a particular  
 17 project”.

18 (b) EFFECTIVE DATE.—The amendments made by  
 19 subsection (a) shall be effective beginning in fiscal year  
 20 2004.

21 **SEC. 4. AGENCY OUTREACH.**

22 Section 9(o) of the Small Business Act (15 U.S.C.  
 23 638(o)) is amended—

24 (1) in paragraph (12), by striking “and” at the  
 25 end;

1           (2) in paragraph (13), by striking the period at  
2           the end and inserting a semicolon; and

3           (3) by adding at the end the following:

4           “(14) implement an outreach program to re-  
5           search institutions and small business concerns for  
6           the purpose of enhancing its STTR program, in con-  
7           junction with any such outreach done for purposes  
8           of the SBIR program; and”.

9   **SEC. 5. POLICY DIRECTIVE MODIFICATIONS.**

10          Section 9(p) of the Small Business Act (15 U.S.C.  
11   638(p)) is amended by adding at the end the following:

12           “(3) MODIFICATIONS.—Not later than 120 days  
13          after the date of enactment of this paragraph, the  
14          Administrator shall modify the policy directive  
15          issued pursuant to this subsection to clarify that the  
16          rights provided for under paragraph (2)(B)(v) apply  
17          to all Federal funding awards under this section, in-  
18          cluding the first phase (as described in subsection  
19          (e)(6)(A)), the second phase (as described in sub-  
20          section (e)(6)(B)), and the third phase (as described  
21          in subsection (e)(6)(C)).”.

22   **SEC. 6. STTR PROGRAM DATA COLLECTION.**

23          (a) IN GENERAL.—Section 9(o) of the Small Busi-  
24   ness Act (15 U.S.C. 638(o)), as amended by this Act, is  
25   amended by adding at the end the following:

1 “(15) collect, and maintain in a common format  
2 in accordance with subsection (v), such information  
3 from awardees as is necessary to assess the STTR  
4 program, including information necessary to main-  
5 tain the database described in subsection (k).”.

6 (b) DATABASE.—Section 9(k) of the Small Business  
7 Act (15 U.S.C. 638(k)) is amended—

8 (1) in paragraph (1)—

9 (A) by inserting “or STTR” after “SBIR”  
10 each place it appears;

11 (B) in subparagraph (C), by striking  
12 “and” at the end;

13 (C) in subparagraph (D), by striking the  
14 period at the end and inserting “; and”; and

15 (D) by adding at the end the following:

16 “(E) with respect to assistance under the  
17 STTR program only—

18 “(i) whether the small business con-  
19 cern or the research institution initiated  
20 their collaboration on each assisted STTR  
21 project;

22 “(ii) whether the small business con-  
23 cern or the research institution originated  
24 any technology relating to the assisted  
25 STTR project;

“(iii) the length of time it took to negotiate any licensing agreement between the small business concern and the research institution under each assisted STTR project; and

“(iv) how the proceeds from commercialization, marketing, or sale of technology resulting from each assisted STTR project were allocated (by percentage) between the small business concern and the research institution.”; and

(2) in paragraph (2)—

(A) by inserting “or an STTR program under subsection (n)(1)” after “(f)(1)”;

(B) in subparagraph (A)(iii), by inserting “and STTR” after “SBIR”; and

(C) in subparagraph (D), by inserting “or STTR” after “SBIR”.

(c) SIMPLIFIED REPORTING REQUIREMENTS.—Section 9(v) of the Small Business Act (15 U.S.C. 638(v)) is amended by inserting “or STTR” after “SBIR” each place it appears.

(d) REPORTS TO CONGRESS.—Section 9(b)(7) of the Small Business Act (15 U.S.C. 638(b)(7)) is amended by

1 striking “and (o)(9)” and inserting “, (o)(9), and  
2 (o)(15)”.

